2004 D-41

Fiduciary Income Tax Forms and Instructions

New!

Form D-41ES Estimated Tax Payment vouchers and Form FR-127F Extension of Time to File

Stay inside the boxes. Using black ink, print in CAPITAL letters.	ROBERTS
Leave a space between words and between words and numbers.	2003 JOE
Enter dollar amounts so single dollars are always in the right-most box. Do not enter cents. Round cents to nearest dollar.	\$ 5720400
Write 3s with a rounded top, not a flat top.	3734
Write 7s without a middle bar.	

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Need assistance?

File or pay online: www.cfo.dc.gov/etsc

Get tax forms

Download forms at www.cfo.dc.gov

Request forms by fax: 202-727-4TAX(4829) (option 1)

Request forms by mail: 202-442-6546

Pick up forms:

Office of Tax and Revenue 941 North Capitol St NE Lobby 8:15 am-4:30 pm

Recorder of Deeds Building

515 D St NW Lobby 8:30 am-4:30 pm

Penn Branch

3220 Pennsylvania Av SE

8:15 am-4:30 pm Tuesdays & Thursdays **Reeves Center**

2000 14th St NW Lobby 7 am-7 pm

Wilson Building

1350 Pennsylvania Av NW 7 am-7 pm

One Judiciary Square

441 4th St NW Lobby

7 am-7 pm

Municipal Center

300 Indiana Av NW Lobby 6:30 am-8 pm

MLK Jr Memorial Library

901 G St NW Sunday, 1-5 pm

Monday-Thursday 10 am-9 pm Friday, Saturday 10 am-5:30 pm

Ask tax questions

Contact our Customer Service Call Center: 202-727-4TAX(4829)

Regular hours Extended hours

8:15 am-4:30 pm March 31-April 14 - 8:15 am-6 pm; April 15 - 8:15 am-8 pm

Monday-Friday Monday-Friday

Ask tax questions; get free tax preparation help

Visit our Walk-In Center, 941 North Capitol St NE 1st floor

Regular hours Extended hours Saturdays

8:15 am-4:30 pm March 31-April 14 - 8:15 am-6 pm April 2 & 9 - 9 am-1 pm

Monday-Friday Monday-Friday

April 15 - 8:15 am-8 pm

Visit our Penn Branch Satellite Center, 3220 Pennsylvania Av SE

Regular hours

8:15 am-4:30 pm Tuesdays & Thursdays

Do you need help with this form? Come to our Walk-In Center, at 941 North Capitol St NE.

Are you unable to hear or speak? Call the DC Relay Service, 202-855-1234.

[Chinese/中文] 您需要協助閱讀或了解英文嗎?請致電 202-727-4829 或請到 941 North Capitol St NE,要求免費語言熱線(Language Line)口譯員協助您。

[Korean/한국어] 영어를 읽거나 이해하기 위해 다른 사람의 도움이 필요하십니까 202-727-4829 번으로 전화하시거나 941 North Capitol St NE 를 방문하십시오. 귀하를 도와드릴 무료 랭귀지 라인(Language Line) 통역사를 요청하십시오.

[Spanish/Español] ¿Necesita ayuda para leer o entender inglés? Llame al 202-727-4829 o venga a 941 North Capitol St NE. Pida que le asignen un intérprete de la Línea de los Idiomas (Language Line) para que le ayude, sin costo alguno.

[Vietnamese/Tiếng Việt] Quý vị có cần giúp đỡ để đọc và hiểu Anh ngữ không? Xin gọi 202-727-4829 hoặc đến 941 North Capitol St NE. Yêu cầu có được thông dịch viên Đường Dây Ngôn Ngữ (Language Line) để giúp đỡ miễn phí cho quý vi.

4

Who must file the Form D-41?

File a D-41 if you are the fiduciary of a DC estate or trust and

- The gross income for the estate is \$1,370 or more for the taxable year; or
- The gross income for the trust is \$100 or more for the taxable year.

Do not file a D-41 if you were appointed by a judge to receive a trust or estate and represent only a part of the property of an individual.

NOTE: Identification numbers (Federal Employer Identification Number (FEIN) or Social Security Number (SSN)) are used for tax administration purposes only.

Are there other DC tax forms that fiduciaries may need to file?

D-40 or D-40EZ

A fiduciary who is responsible for reporting the income of a DC resident, such as a minor or someone else who is unable to administer his or her assets, must file an individual income tax return in addition to filing the D-41.

D-40 for a deceased

A fiduciary must file a D-40 for the last taxable year of the deceased.

D-41ES Estimated Tax payments

Copies of the D-41ES are included in this booklet if you wish to make estimated tax payments.

FR-127F Extension of Time to File

Use this form if you cannot file a complete return by the 15th day of the fourth month after the year end (April 15 due date for calendar year filers). The extension of time to file is for six months. You must submit this form by the due date.

An extension of time to file does not extend the due date for paying any tax you may owe. Before you file for an extension, estimate the taxes you will owe and pay that amount in full with the FR-127F by the due date of the D-41 return. Copies of FR-127F are included in this booklet.

D-76 (D-76EZ) Estate Tax Return

A fiduciary must file a DC estate tax return if the gross estate is \$1,000,000 or more even if the Federal Estate Tax Return, Form 706, is not required to be filed.

Federal Forms 1099 and 1096 for payees with DC addresses

Fiduciaries representing estates or trusts must file copies of forms 1099 and 1096 for payees with DC addresses, if such payments are not covered by withholding tax statements. This includes estates or trusts that:

- are engaged in business and making payments to another person for rent, salaries, wages, premiums, annuities, compensation, or other profits; and
- have earned income of \$600 or more in the taxable year

What income must grantors and beneficiaries report on their DC individual income tax returns?

Grantors of a trust must report:

- Income distributed to the grantor;
- Income held or accumulated for future distribution;
- Income applied to the payment of premiums on insurance policies on the grantor; and
- · Income received from a revocable trust when
 - the title to any part of the trust is vested in the grantor or
 - the power to revest in the grantor is vested.

Beneficiaries who are DC residents must report:

• Income paid or payable from resident and nonresident trust.

What period should the D-41 cover?

If you file a federal Form 1041, the income you report on the D-41 must be based on the same calendar or fiscal year as your Form 1041. A fiduciary may not change from reporting on a calendar-year basis to a fiscal-year basis or vice versa without written permission from the Office of Tax and Revenue. To request a reporting period change, write to:

Office of Tax and Revenue Audit Division PO Box 556 Washington DC 20044-0556

When and where should you file the D-41?

Due date

You must file your return by April 15, 2005 if you are a calendar year filer. Fiscal year filers must file by the 15th day of the fourth month after the fiscal year end.

If you need more time to file your return, submit a request for an extension, Form FR-127F, by the due date of the return. Any tax due must be paid in full with the request; there is no extension of time to pay.

Mailing address

Send the completed **original** D-41 return to:

Office of Tax and Revenue PO Box 441 Washington, DC 20044-0441

How can you avoid penalties and interest?

File your return on time

There is a 5% per-month penalty for failure to file a return or pay any tax due on time. The penalty is calculated on the unpaid tax for each month or part of the month that the return is not filed or the tax is not paid. The maximum penalty is an amount equal to 25% of the tax due.

You will be charged interest of 10% per year, compounded daily, on any amount (including penalty and interest) not paid on time. Interest is calculated from the due date of the return to the date when the outstanding balance is paid.

Do not understate your taxes

There is a 20% penalty on any understated amount of taxes due if:

- The unpaid amount is more than 10% of the actual amount due: or
- The unpaid amount is \$2,000 or more.

You will pay the penalty on the greater amount.

Tax preparers must pay a penalty for understating taxes due to any of the following reasons:

- The refund or amount due is based on unrealistic information;
- The preparer should have been aware of a relevant law or regulation; or
- Relevant facts about the return are not adequately disclosed. Penalties range from \$250 to \$10,000.

Payment

Include a check or money order payable to the DC Treasurer with the completed return. Write the estate or trust SSN/FEIN, and "2004 D-41" on the payment. You may not pay by credit card.

Make sure your check will clear

You will be charged a \$65 fee if your check is returned to us.

Explanation of terms

Beneficiary

Any person who is to receive profits or distributions from an estate or trust.

Estate

All the property and assets of one who has died. An estate comes into existence at the time of an individual's death and continues

until the final distribution of its assets to the beneficiaries.

Fiduciary

A person or business with the power to act for another and the responsibility for managing the assets and income of an estate or trust. A fiduciary may be a trustee, an administrator of an estate, a business adviser, attorney, guardian, real estate agent, banker, stockbroker, or title company.

Granto

A person who creates a trust and transfers the title of the property and assets to another. That person may also be called "trustor," "settlor," or "donor."

Resident estate

If the deceased was a DC resident at the time of death, then his or her estate is a DC resident estate.

Trust

An entity created to hold assets for the benefit of certain people or entities.

Simple trust

One which requires that all income be distributed each year rather than being accumulated.

Complex trust

One that does not qualify as a simple trust.

Testamentary (created by will)

One created by a will and comes into existence at the time of the creator's death.

Inter vivos (living)

One which comes into existence during the lifetime of the person who created it. Often the trust is for a minor or someone else who is unable to administer his or her assets.

Resident trust

A trust is a resident trust if:

- The person who created the will, thereby creating the trust, was a DC resident at the time of death; or
- The creator of an *inter vivos* trust was a DC resident at the time the trust was created; or
- If the trust consists of property of a DC resident; or
- The trust results from the dissolution of a corporation organized under DC laws.

The residence of the fiduciary does not determine the classification of the trust as being resident or nonresident.

Instructions for the D-41

Getting started

- You'll need a copy of your completed 2004 federal Form 1041 and a calculator to complete this form.
- You may copy many amounts directly from the Form 1041.
 Please be careful since its line numbers differ from those of Form D-41.
- Not all items will apply to you. Fill in only those that apply.
- If an amount is zero, leave the line blank.
- · Round cents to the nearest dollar.

Example: \$10,500.50 rounds up to \$10,501 \$10,500.48 rounds down to \$10,500

- If the trust/estate does not have an identification number, please provide the social security number of the owner/decedent.
- If you fill in the "final return" oval, you do not need to file again for this entity.

Fiduciary information

Amended return

If you are filing an amended return, fill in the amended return oval and complete the D-41 with the corrected information. Attach an explanation of any adjustments. If the Internal Revenue

Octoberion A Additions to your fodoral total incom

Service adjusted your federal 1041 after you filed a D-41, you must file an amended D-41 within 90 days of receiving notice of the federal adjustment.

Entity type

Fill in the oval that describes the entity for which you are filing.

Trust type

Fill in the oval that describes the trust type.

Income

Line 1 Federal total income

Enter the amount from your federal Form 1041, Line 9.

Line 2 Additions to federal total income

This is income, if any, that is not taxed by the federal government and deductions taken and not allowed by DC. You must add these items back to your federal total income to figure your DC tax. **Complete Calculation A** below.

NOTE: Unlike the Federal Government, DC does not allow the additional 30% or 50% bonus depreciation nor the additional IRC section 179 expenses. Therefore, any such amounts claimed on a federal tax return cannot be claimed on the DC return. Also, the Net Operating Loss Carryback allowed for federal tax purposes is not allowed for DC tax purposes.

Line 4 Subtractions from federal total income

This is income, if any, that DC does not tax. Subtract it from your federal total income. **Complete Calculation B** below.

Calculation A Additions to your rederal total income	
a Franchise tax deduction used to calculate business income or loss That amount included on federal Form 1040 Schedule C, Line 23 or Form 1040 Schedule C-EZ.	
b Franchise tax deduction used to calculate income from rental real estate, royalties, partnerships, trusts etc. That amount included on federal Form 1065, Line 14 or on federal Form 1041, Line 11.	
c Deductions taken for an S corporation from Schedule K-1 of federal Form 1120S Includes amount entered on Lines 8–11 and 14a of Schedule K-1. NOTE: IRC Sec. 179 expenses are deductible up to \$25,000.	
d Income distributions eligible for income averaging on your federal tax return from federal Form 4972, Lines 6 and 8 Add Lines 6 and 8, enter here.	
e Any 30% or 50% bonus depreciation claimed on a federal return.	
f Total additions Add Lines a—e, enter here and on D-41, Line 2.	
Calculation B Subtractions from your federal total income	
a Taxable interest from U.S. Treasury bonds and other U.S. obligations That amount included in your federal Form 1040 or 1040A, Line 8a or 1040EZ, Line 2. See also your federal Form 1099INT, Line 3.	
b Taxable amount of social security and tier 1 railroad retirement income From federal Form 1040, Line 20b or 1040A, Line 14b.	
c Income reported and taxed on a DC franchise return If the income reported on your federal Form 1040 included any income reported and taxed on a Form D-20 or D-30 (DC Franchise Tax Return), enter it here.	
d Total subtractions Add Lines a-c, enter here and on D-41, Line 4.	

Deductions and exemptions

Line 9 Other deductions

Add amounts on Lines 12, 13, 14, 15a, 15b and 19 of your federal Form 1041. These include deductions for fiduciary fees; charitable contributions; attorney, accountant, and tax preparer fees; estate tax deductions, and other miscellaneous deductions.

Line 10 Exemptions

Enter \$1,370 for estates and \$100 for trusts.

If you are filing an estate return and it covers less than a year, you must prorate the exemption amount. Multiply the number of months the estate was active by \$114.17. Round to the nearest dollar.

To calculate the number of months the estate was active:

Divide the number of days the estate was active by 30. Any remainder over 15 days counts as a full month.

Example: 196 days divided by 30 = 7 months (6 months plus a remainder of 16 days).

Line 14 Credit for taxes paid to other states

Add all taxes paid to other states that are deductible. To be deductible, taxes paid to other states must be fiduciary income tax paid to another state while a DC resident. In addition, the tax paid must be on income that is of a kind taxable by DC.

Additional trust or estate information

From page 2 of the form

Complete only one section. Provide additional information about the trust **or** estate you represent.

Signature

The fiduciary or the person authorized to represent the organization controlling the income of the estate or trust must sign the return. If the return was prepared by a paid preparer, he or she also must sign the return.

Attachment of the will or trust agreement and explanatory statement

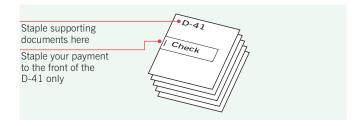
Attach a copy of the will or trust agreement to this return. Also attach a statement listing the amounts of income of the estate or trust taxable to:

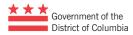
- The estate or trust;
- Its beneficiaries; and
- The grantor of the trust.

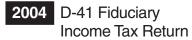
If you filed these documents before, do not file them again unless they have been amended. Enter the date you originally filed the documents. If the documents are amended after being filed, a copy of the amendment must be filed with the return for the taxable year in which the amendment is made. A statement must also be filed explaining the effect of the change.

Assembling the D-41 return

- If you are attaching a check or money order staple it to the front of your D-41.
- Staple supporting documents to the upper left corner behind the D-41.









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Print in CAPITAL letters u Leave lines blank that do			0 4 0 4 1 0 1 1 0 0 0 0 OFFICIAL USE ONLY					
Fiduciary information Tax year beginning (MM/YY)	Fill in: if Amende Tax year ending (MM/YY)	ed return See page 4. Type of entity Type of trust Fi	Fill in type: Esta	nis is your final return ate Simple to mentary (created by	rust Comple	ex trust er vivos (living)		
Estate or trust's federal employer	D number Estate	or trust's social security num	nber Da	aytime phone number				
Estate or trust name								
Fiduciary's name and title								
Fiduciary's address (number and	street) Fill in if this is	s your first return or if your ac	ddress changed from your last	t return.	#			
City			State	Zip Code				
Additional trust informa	tion Complete if entity is a (MM/DD/YYYY)	trust	Additional es	tate information of	Complete if entity is an e	estate		
Date created	(MM/D)D)	Date of decea		MM/DD)			
If trust ended in 2004, e	nter date		If estate ended enter date	d in 2004,	viiv(DD)			
Address of grantor (number ar	nd street)		Has a DC D-76 or	D-76EZ estate tax retu	rn been filed? Yes	No O		
			If no, will one be f	iled? Yes I	No O			
City	State	Zip Code	→ Complete	federal Form 104	11 before continu	uing ←		
Income Round cents to the	nearest dollar. If the amoun	t is zero, leave the line bla	nk.					
1 Total income From fed	eral Form 1041, Line 9.		Fill in if loss	1 \$.00		
2 Additions to federal to	otal income From Calcula	tion A, page 4 of instruction	ons.	2 \$.00		
3 Add Lines 1 and 2.			Fill in if loss	3 \$.00		
4 Subtractions from fed	leral total income From	Calculation B, page 4 of i	nstructions.	4 \$.00		
5 Total DC fiduciary inc	come Subtract Line 4 from stop here; do not	Line 3. If zero or less,	Fill in if loss	5 \$		00		
Deductions and exemption	ons							
6 Interest From Form 104.	1, Line 10.			6 \$		00		
7 Taxes Subtract the state,	local and DC franchise tax en	tered on Form 1041, Line	11.	7 \$.00		
8 Deduction for distribu	utions to beneficiaries	From Form 1041. Line 18		8 \$		00		

9

10

11 12

Fill in if loss

must prorate your exemption. See instructions, page 5.

11 Total deductions and exemptions Add Lines 6-10.

12 Taxable fiduciary income Subtract Line 11 from Line 5.

Other deductions Add Lines 12, 13, 14, 15a, 15b and 19 of your Form 1041.

10 Exemption Enter \$1,370 for an estate and \$100 for a trust. If the estate ended during 2004, you

D-41 PAGE 2							
Name							
SSN or FEIN			11	0 4 0	4 1 0 1 2 0	0 0 0	
Tax and payments		Round cents to the nearest dol	lar. If amount is	s zero, lea	ve the line blank.		
Tax calculation If Line 12	is a loss, go directly to Li	ne 16, leave Lines 13 - 15 blank.					
If Line 12 is \$10,0	00 or less	If Line 12 is over \$10,00	0 to \$30,000	If	Line 12 is over \$30,000)	
a Amount from Line 12		a Amount from Line 12		i	a Amount from Line 12		
b Tax rate	x 0.05	b Income subtractor	-10,000.00		b Income subtractor	-30,000.00	
c Multiply Line a by Line b		c Subtract Line b from Line a		(Subtract Line b from Line a		
d Enter amount here		d Tax rate	x 0.0	75	d Tax rate	x 0.093 *	
and on Line 13		e Multiply Line c by Line d			e Multiply Line c by Line d		
		f Add \$500	+500	.00	f Add \$2,000	+2,000.00	
		g Enter total here and on Line 13		į	g Enter total here and on Line 13		
13 Tax on fiduciary in	come			13 \$.00	
14 Credit for taxes paid		credit may not exceed the amount c ructions, page 5. Attach a copy of th		14 \$.00	
15 Net tax on fiduciary	income Line 13 minus	Line 14.		15 \$		00	
16 2004 estimated inc	come tax payments			16 \$		00	
17 Payments made wit	th an extension of tin	ne to file From FR-127F, Line 3		17 \$		00	
18 If this is an amende	ed 2004 return, payr	nents made with original 20	04 D-41	18 \$		00	
19 Total payments Add		-		19 \$		00	
				15			
Complete if Line 19 is more20 Amount of overpayment	e than Line 15. Subtrac		23 Amount yo		than Line 15. Subtract Line .	19 from Line 15.	
21 Amount, if any, to be	e applied to 2005 est		Payment	,			
				,	er made payable to DC Treas et's FEIN and "2004 D-41" o		
22 Refund subtract		00					
Line 21 from Line 20							
•	·	t I have examined this return and d on all information available to the		y knowledg	ge, it is correct.		
Signature of fiduciary or officer repre	esenting the fiduciary		Date				
Signature of paid preparer			Paid preparer's Feder	al ID, SSN, o	r PTIN		
Paid preparer's address (number and	d street)		City		State	Zip Code	
and preparer 3 address (number and	d Sirect/		Oity		State	Zip Gode	
Additional documental	tion	,			n.		
You must file a copy of th the estate or trust, the be		ent and a statement showing antor.	the tax liability	of each o	f the following:		
Do not attach these docu	ments unless the will	or trust agreement has been a	amended.				
Fill in if you filed th	ese documents in a	previous year Date file	d (MM/YY		ear of return (YYYY)		
Send your sign	ned and completed origi	nal return to:					

Send your signed and completed **original** return to: Office of Tax and Revenue PO Box 441 Washington DC 20044-0441

*Effective January 1, 2005, the rate is reduced to .09.



2004 FR

FR-127F Extension of Time to File Fiduciary Income Tax Return



Important: Print in CAPITAL letters using black ink.

Leave lines blank that do not apply.						
Tax year beginning (MM/YY) Tax ye	ar ending (MM/YY)					
Fiduciary information	False and made as sigle as sigle		Day times also			
Estate or trust's federal employer ID number	Estate or trust's social security	number	Daytime phor	ne number		
Estate or trust name						
Fiduciary's name and title						
Fiduciary's address (number and street) Fill in	if this is your first return or if you	ır address changed from y	your last return.		#	
City			State Zip	Code		
Extension of time to file						
October 15, 2005 for calendar ye	ear filers; or		Round cents	s to the nearest do	llar.	
Six months after the due date for	r fiscal year filers		If the amou	nt is zero, leave the	e line blank.	
Total estimated income tax liability	/ for 2004		1 \$.00
2 2004 estimated tax payments			2 \$			00
Amount due with this request. If Lin	ne 1 is more than Line 2, subtrac	ct Line 2 from Line 1	_{1.} 3 \$			00
You must send payment in full If Line 2 is more than Line 1, yo matic extension. Attach check o Estate or Trust SSN or FEIN and pay by credit card. Mail this forn 41 return.	u do not need to file this form or money order payable to DC "2004 FR-127F" on your pay	, you have an auto Treasurer. Write th ment. You may no	ot			
Signature						
Signature of fiduciary or officer representing the	e fiduciary Da	ate				
Send your sign	ned and completed original form to:	Office of Tax and R 941 North Capitol Washington DC 20	St NE, 6th floor			
Save a copy of this form for yo	our records.					
22.12 2. 20p) or time form for ye						

Instructions for Form FR-127F

Why file Form FR-127F?

Use this form if you cannot file the DC fiduciary income tax return by the due date. By filing this form, you can receive a 6-month extension of time to file.

A filing extension is not an extension of the due date for paying any tax you may owe. Before filing for an extension, estimate the taxes you will owe and pay that amount with the FR-127F by the due date of the D-41 return.

Additional extension for DC residents living or traveling outside the United States.

In addition to the 6-month extension, you may receive an additional 6-month extension. You must file for the first 6-month extension by the due date before applying for the additional extension of time to file.

You must use Form FR-127F to request an extension of time to file a DC fiduciary return.

When is the Form FR-127F due?

- Calendar year filers: you must submit your request along with payment in full of any tax due by April 15, 2005.
- Fiscal year filers: you must submit your request along with payment in full of any tax due by the 15th day of the fourth month after the end of the fiscal year.

When you have received an extension, when is your fiduciary income tax return due?

You may file your tax return any time before the extension period expires.

Make check or money order payable to DC Treasurer. 2005 D-41ES P1 Voucher number: Estimated Payment for Educiary Income Tax	City State Zip Code	Fiduciary's address (number and street) Fill in if this is your first return or if your address changed from your last return	Fiduciary's name and title	Colollars or trust name	*** Government of the District of Columbia 2005 D-41ES Estimated Payment for Fiduciary Income Tax	Make check or money order payable to DC Treasurer. 2005 D-41ES P1 Voucher number: Estimated Payment for Fiduciary Income Tax	City State Zip Code	Fiduciary's address (number and street) Fill in if this is your first return or if your address changed from your last return	Fiduciary's name and title	Estate or trust name	District of Columbia District of Columbia District of Columbia Fiduciary Income Tax Quarterly payment (dollars only) Estate or trust's federal employer ID number D-41ES Estimated Payment for Fiduciary Income Tax O0 OFFICIAL USE ONLY
Due date:		# (Suite/Apartment)	MMDD MMDD	3 1 0 0 0 0		Due date:		# (Suite/Apartment)	MMDD MMDD	Tax year beginning Tax year ending	